

MR. & MRS. JAMES DILLON

v.

Decision #99-12

**OLD KING'S HIGHWAY REGIONAL HISTORIC
DISTRICT COMMITTEE FOR THE TOWN OF
SANDWICH**

On Tuesday, October 5, 1999 the Commission held a hearing on Appeal #99-12 filed by Mr. & Mrs. James Dillon, seeking review of a decision by the Sandwich Historic District Committee denying a Certificate of Appropriateness for alterations to a building located at 18 School Street, Sandwich, Massachusetts.

Present were Edward Molans, Barnstable; Paul White, Sandwich; Paul SanClemente, Dennis; Deborah Gray, Yarmouth; Roy Robinson, Brewster; Robert G. Brown, Commission Counsel; Grattan Gill, agent for the Appellant; and James Dillon, Appellant.

The Committee's decision was filed with the Town Clerk on August 30, 1999. The appeal was entered with the Commission on September 10, 1999, within the 10 day appeal period.

In the absence of both the Chair and Vice-Chair, the Commission elected Roy Robinson as Chair Pro Tem.

THE APPELLANT'S PRESENTATION:

Grattan Gill, Agent for the, Appellants, addressed the Commission in favor of the Appeal. He displayed a map of the general area, showing various styles of two-story homes with two-story additions. He explained that the idea of adding a two-story addition to a two-story home is not new. The Appellants need extra space for a family room and a master bedroom. He displayed a floor plan and an elevation of the property. He also presented a model of the existing and proposed home showing the 14 x 16 foot addition. He said the house was built in 1974 and is not old. The new addition will be less than 12% of the existing structure and will be compatible with the Old King's Highway Act and its Guidelines

THE COMMITTEE'S PRESENTATION:

Jacob Atwood, representing the Sandwich Committee, explained the Sandwich Committee's reasons for denial. He said that, while the addition is very nice it is incompatible with the surrounding neighborhood. The house is located in the very heart of the Historic District, directly across the street from the Hoxie House, one of the oldest houses on Cape Cod. This is an area of intense scrutiny with regard to alterations and additions.

DISCUSSION:

In discussion among Commission members a majority of the Commissioners felt that, although the physical size of the addition was not a problem, the details of the addition were incompatible with a very visible and very sensitive area of the District. As such, the Sandwich Committee had a reasonable basis for acting as it did and the decision of the Sandwich Committee should be upheld.

FINDINGS:

The Commission voted as follows:

1. That the Sandwich Committee did not act in an arbitrary, capricious or erroneous manner in denying the Appellants' application for a Certificate of Appropriateness. 3-1-1.
2. That the appeal is denied. 3-1-1.

DETERMINATION:

As to Appeal #99-13, the appeal is denied.

Any person aggrieved by this decision has a right to appeal to the District Court Department, Barnstable Division, within 20 days of the filing of this decision with the Sandwich Town Clerk.

Roy Robinson
Chair Pro Tem